



ENT 68004:2013 PG 1 of 17  
JEFFERY SMITH  
UTAH COUNTY RECORDER  
2013 Jul 15 3:50 pm FEE 60.00 BY SW  
RECORDED FOR YOUNG, SHERMAN

When recorded return to:  
Rocky Mountain Power  
Lisa Louder  
1407 West North Temple Ste. 110  
Salt Lake City, UT 84116

Project Name: Mona-Oquirrh 500/345kV ROW  
Project Tract Number: UT-25-LM-054  
RW#: 20090140 WO#: 10036563  
Tax ID #: 35-104-0007; 98-125-0042

### **RIGHT OF WAY AND EASEMENT GRANT**

Chief Consolidated Mining Company, a corporation of the State of Arizona, whose address is 999 West Hasting Street, Suite 890, Vancouver, BC V6C 2W2 Canada ("Grantor") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby conveys and warrants to PacifiCorp, an Oregon corporation, d/b/a Rocky Mountain Power, its successors and assigns, whose address is 1407 West North Temple, Salt Lake City, Utah 84116 ("Grantee") a perpetual easement and right of way ("Easement") over and across a certain parcel of real property owned by Grantor ("Grantor's Land") located in Utah County, State of Utah. Grantor's Land is more particularly described in Exhibit "A", the legal description of the Easement referred to herein as the "Easement Area" is more particularly described and shown on Exhibit(s) "B" and access to the Easement Area is shown on Exhibit(s) "C" attached hereto and by this reference made a part hereof.

1. Easement Grant. The purpose of this Easement is to allow Grantee to construct, reconstruct, operate, maintain, relocate, enlarge, alter, and remove electric power lines, communication lines, and related equipment, including supporting towers and poles, guy anchors, conductors, wires, cables and other lines, and all other necessary or desirable equipment, accessories and appurtenances thereto on, over, or under the Easement Area.

2. Access. Grantee shall have a right of access along and within the described Easement Area, and the of right of access to the Easement Area over and across Grantor's Land as shown on Exhibit "C." Grantor may not fence the Easement Area or preclude access in a manner that will preclude continuous longitudinal travel by person, vehicles, or equipment, except as otherwise agreed to in writing by Grantee. The foregoing right of access is intended to run with and encumber Grantor's Land unless expressly released in writing by Grantee.

3. Grantor's Use of the Easement Area. Consistent with its rights as the owner of fee simple, Grantor may use the Easement Area for any and all purposes that are not inconsistent with the purposes for which this Easement is granted, including any mining or industrial purpose or activity, so long as Grantor's use does not unreasonably interfere with Grantee's access rights

or power line maintenance or operation, nor violate the Occupational Safety and Health Act clearance requirements, the National Electrical Safety Code or Rocky Mountain Power's safety clearance standards, as may be amended from time to time. By way of example only and without limiting Grantor's use of its property, Grantor may:

- (a) build, construct, and maintain, rail lines or haul roads for mining equipment, trucks, or vehicles, including ditches, bridges, trestles, canals, culverts, or walls, for hauling rock, dirt, minerals, water, or other mining related materials;
- (b) construct access roads, including ditches, bridges, canals, culverts, or walls;
- (c) construct water lines, conveyor belts, gas transmission or electrical power lines, or other structures necessary for transmission of gas, water, electrical power, minerals, or other materials;
- (d) maintain or modify the condition or location of existing arroyos, ditches, canals, and culverts, as necessary for mining, or related, operations; and
- (e) excavate between electrical towers if necessary to maintain proper distance between the power lines and vehicles traveling beneath the power lines so long as said excavation is more than 50 feet from any electrical tower, does not remove lateral support or otherwise undermine the stability of a tower, and a slope of no less than 2:1 is maintained.

Provided, however, that for any structures or electrical power lines and related facilities that Grantor desires to build within the Easement Area, Grantor shall first obtain Grantee's prior written approval as to the plans and specifications, which approval will not be unreasonably withheld. Further, Grantor shall not, within the Easement Area: (i) place or use any thing, including equipment or vehicles, that exceeds fifteen (15) feet in height, (ii) increase the existing ground elevation, nor (iii) light any fires or store flammable or hazardous materials.

Grantor may use the Easement Area for any purpose that is not inconsistent with the purposes for which this Easement is granted, provided that, Grantor expressly agrees that within the Easement Area, Grantor will not: a) construct any building or structure of any kind or nature; b) excavate closer than fifty feet (50') from any pole or structure; c) excavate anywhere in the Easement Area in a manner that undermines or removes lateral support from any pole or structure, or that prevents or impairs Grantee's access to any pole or structure; d) place or use anything, including equipment or vehicles that exceeds twelve feet (12') in height; e) increase the existing ground elevation; f) light any fires or store flammable or hazardous materials; or g) otherwise use the Easement Area in any manner that violates the National Electric Safety Code or Grantee's safety clearance standards, as may be amended from time to time.

4. Vegetation Management. Grantor may not plant any species of trees or other vegetation within the Easement Area that will grow to a height greater than twelve feet (12') or outside of the Easement Area that will grow within twenty-five (25') feet of the transmission line

conductor. Grantee shall have the right to prune or remove all vegetation in violation of the foregoing or, in its reasonable opinion, interferes with, is causing, or may cause a threat of harm to its facilities or improvements.

5. Miscellaneous Provisions.

5.1 Authority. The individual(s) executing this document represents and warrants that he/she has the legal authority to convey the Easement described herein.

5.2 Amendments. This Easement may be amended only by recording, in the office of the county recorder, an instrument in writing reciting the terms of the amendment and bearing the signatures of all parties hereto, or their heirs, successors, and assigns.

5.3 No Waiver. The failure to enforce or perform any provision set forth in this Easement shall not be deemed a waiver of any such right.

5.4 Successors and Assigns. All rights and obligations contained herein or implied by law are intended to be covenants running with the land and shall attach, bind and inure to the benefit of Grantor and Grantee and their respective heirs, successors, and assigns.

DATED this 12 day of December, 2012.

CHIEF CONSOLIDATED MINING  
COMPANY, an Arizona corporation

By: GORDON BLANKSTEIN  
Print Name: GORDON BLANKSTEIN  
Title: Chairman & CEO

REPRESENTATIVE ACKNOWLEDGEMENT

Province of BRITISH COLUMBIA, CANADA  
State of BRITISH COLUMBIA, CANADA  
County of \_\_\_\_\_ } SS.

This instrument was acknowledged before me on this 12<sup>th</sup> day of December, 2012, by

GORDON BLANKSTEIN, in his/her capacity as Chairman of the Board, Chief Executive Officer & Director of Chief Consolidated Mining Company, an Arizona corporation.

Notary Public

**ROBERT JAMES KING**  
**Barrister and Solicitor**  
**1800-899 West Hastings Street**  
**Vancouver, B.C. V6C 2W2**  
**Tel: (604) 682-4999**

**Exhibit A**  
**Grantor's Land**

Tax ID# 35-104-0007

Beginning at a point in the South line of U.S. Highway 6, said point being South 60.0 feet, more or less, from the Northwest corner of Section 13, Township 10 South, Range 2 West, Salt Lake Base and Meridian; thence South along said section line 660.0 feet; thence East parallel to said Highway 7920.0 feet; thence North 660.0 feet to the Southerly line of said Highway; thence West along said Highway 7920.0 feet to the point of beginning.

Except therefrom that portion described as follows:

Commencing at a point on the Southerly boundary of Highway 6, said point being located South 33.0 feet from the Northwest corner of Section 13, Township 10 South, Range 2 West, Salt Lake Base and Meridian; thence East 330.0 feet; thence South 50.0 feet; thence West 297.0 feet; thence South 2557.0 feet; thence East 1287.00 feet; thence South 1980.00 feet; thence West 1320.00 feet; thence North 4587.00 feet to the point of beginning.

A portion of the above described land being located within a portion of Lot 2, Plat "A", Bronson Subdivision, Utah County, Utah.

Part of Tax Serial No. 98-125-0042

The following patented lode mining claim located in the Tintic Mining District and situated in Utah County, Utah as the same is described and delineated in its respective patent and mineral survey:

East Contact No. 35 Survey No. 6788  
East Contact No. 36 Survey No. 6788  
East Contact No. 52 Survey No. 6790  
East Contact No. 70 Survey No. 6790

Less and excepting any portion lying within Utah State Highway 6.

Also expressly excepting and excluding from these presents all that portion of the ground hereinbefore described, Sections twelve and thirteen, Township 10 South, Range 2 West, Salt Lake Base and Meridian, and also all veins, lodes, and ledges, throughout their entire depth, the tops or apexes of which lie inside of such excluded ground.

**Exhibit B**  
**Easement Area and Drawing**

Grantor

Chief Consolidated Mining Company, a corporation of the State of Arizona  
Tax ID# 35-104-0007

DESCRIPTION

An easement of variable width being a portion of Lot 2, Plat "A", Bronson Subdivision, recorded as Map Filing #3057, Entry 26413 on September 4, 1984, of the records of the Utah County Recorder, together with a portion of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 13, Township 10 South, Range 02 West, Salt Lake Base and Meridian, Utah County, Utah, said easement being described as follows:

COMMENCING at the Northwest corner of said Section 13; thence along the north line of said Section 13 North 89°52'39" East, 231.42 feet; thence leaving said north line South 00°38'38" East, 409.78 feet, more or less, to a point on the southerly sideline of State Highway No. 6, said sideline also being the north line of the Grantor's land, said point being the POINT OF BEGINNING;

Thence leaving said north line and continuing South 00°38'38" East, 140.19 feet, more or less; thence South 00°09'08" East, 519.15 feet, more or less, to a point on the south line of the Grantor's land; thence along said south line South 86°42'30" West, 246.60 feet, more or less, to the west line of said NW 1/4 NW 1/4; thence along said west line North 00°22'55 East, 659.77 feet, more or less, to said southerly sideline of State Highway No. 6; thence along said southerly sideline North 86°42'30" East, 239.24 feet, more or less, to the POINT OF BEGINNING.

Containing 3.7 acres, more or less (ground level).

As shown on Exhibit B-1 attached hereto and made a part hereof.

Bearings and distances are expressed in terms of the Utah Coordinate System 1983 Central Zone. Distances are expressed in U. S. Survey Feet. To convert the stated grid distances to ground distances, multiply the stated grid distance by a Combined Adjustment Factor of 1.000342590188.

Prepared by:



John F. Bloodgood, PLS 171051-2201 Date: October 15, 2010

Grantor

Chief Consolidated Mining Co., an Arizona corporation  
Part of Tax Serial No. 98-126-0042

DESCRIPTION

An easement of variable width, being a portion of the east half of Section 11 and a portion of the east half of Section 14, Township 10 South, Range 2 West, of the Salt Lake Base and Meridian, Utah County, Utah, said easement being that portion of said east half of Section 11 and east half of Section 14 lying east of a reference line described as follows:

COMMENCING at the northeast corner of said Section 11, said northeast corner bears North 2°08'59" East, 2583.53 feet from the east quarter corner of said Section 11; thence along the north line of said Section 11 North 89°25'01" West, 250.07 feet, more of less, to a point on said reference line; thence leaving said north line along said reference line South 0°50'50" East, 4.20 feet, more of less; thence continuing along said reference line South 0°13'20" East, 799.96 feet, more of less, to the north line of East Contact No. 36, Survey No. 6788 being a patented lode mining claim located in the Tintic Mining District, said north line being the north line of the Grantor's land and the POINT OF BEGINNING;

Thence leaving said north line and continuing along said reference line the following courses:

South 0°13'20" East, 1993.05 feet, more of less; thence South 0°38'38" East, 2920.31 feet; thence South 0°09'08" East, 1228.45 feet; thence South 0°35'07" West, 1085.05 feet, more or less, to the south line of East Contact No. 70, Survey No. 6790 being a patented lode mining claim located in said Tintic Mining District, said south line being the south line of the Grantor's land.

Less and excepting any portion lying within Utah State Highway 6.

Containing 12.5 acres, more or less, (ground level)

Bearings and distances are expressed in terms of the Utah Coordinate System 1983 Central Zone. Distances are expressed in U. S. Survey Feet. To convert the stated grid distances to ground distances, multiply the stated grid distance by a Combined Adjustment Factor of 1.000342590188.

All as shown on Exhibits B-1 and B-2 attached hereto and made a part hereof.

Prepared by:

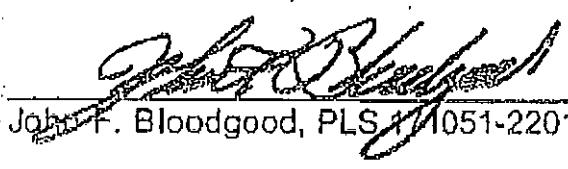
  
John F. Bloodgood, PLS / 1051-2201 Date: September 7, 2010

Exhibit B-1  
(Easement Area Drawing)

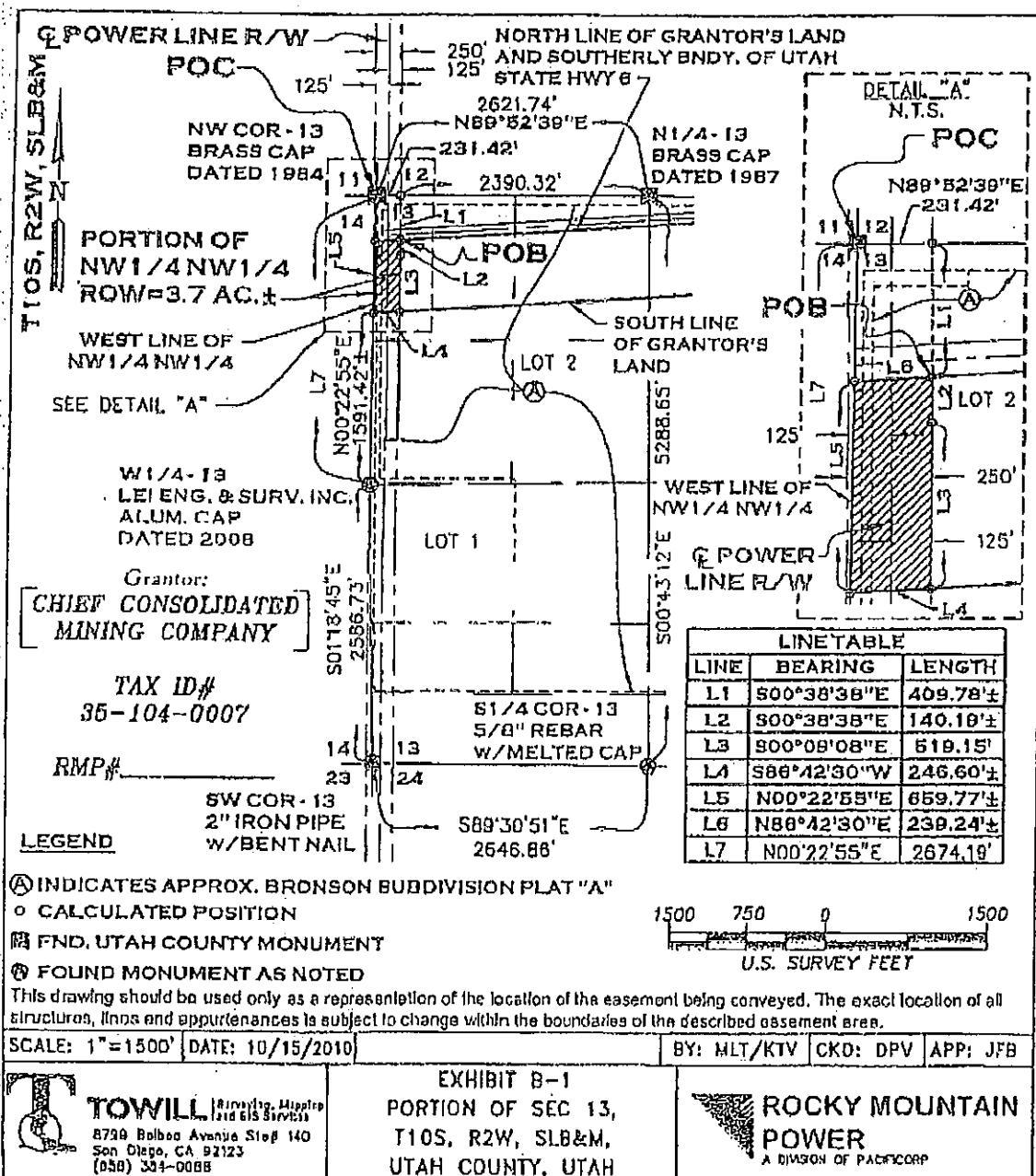


Exhibit B-1  
(Basement Area Drawing)

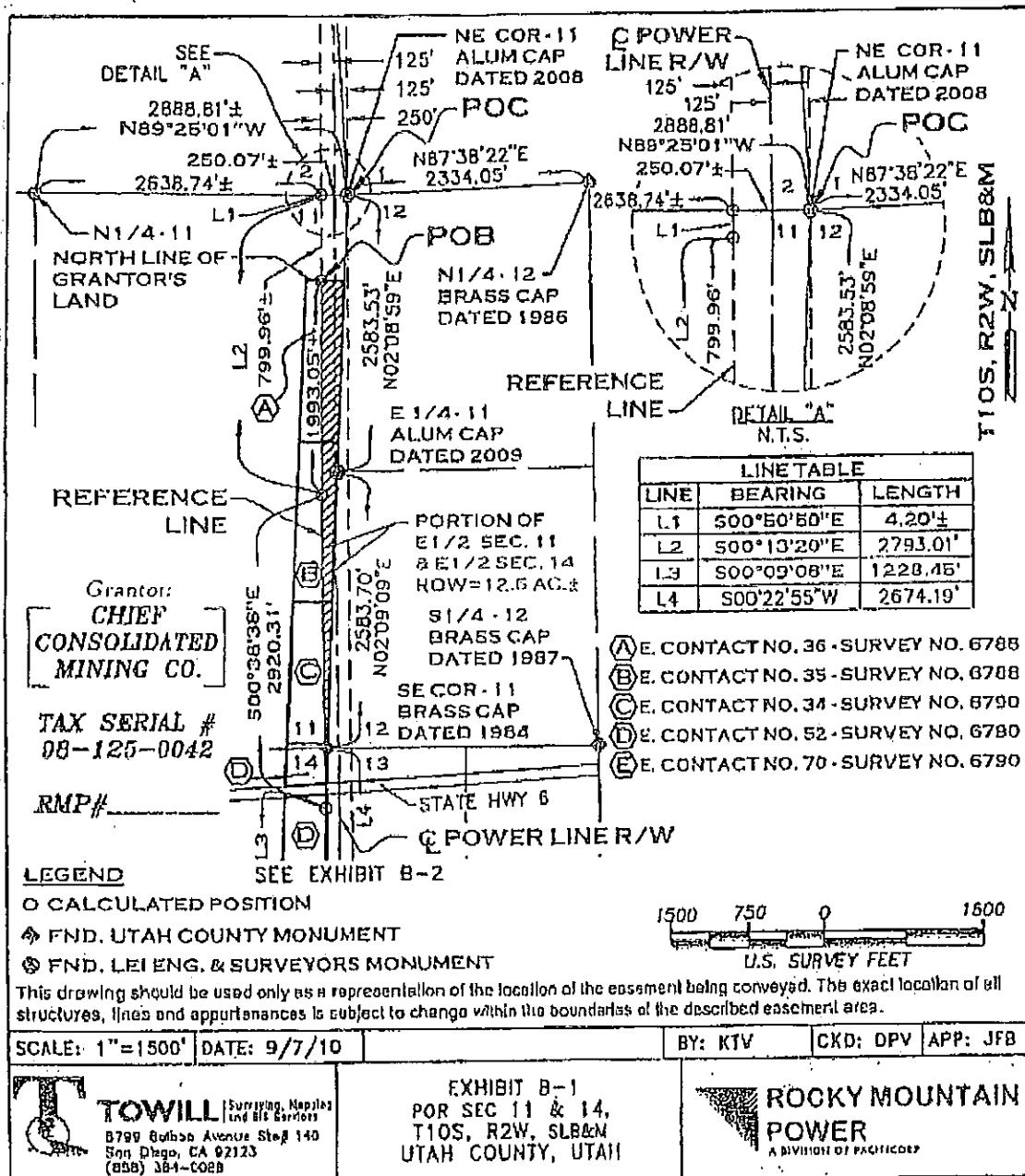
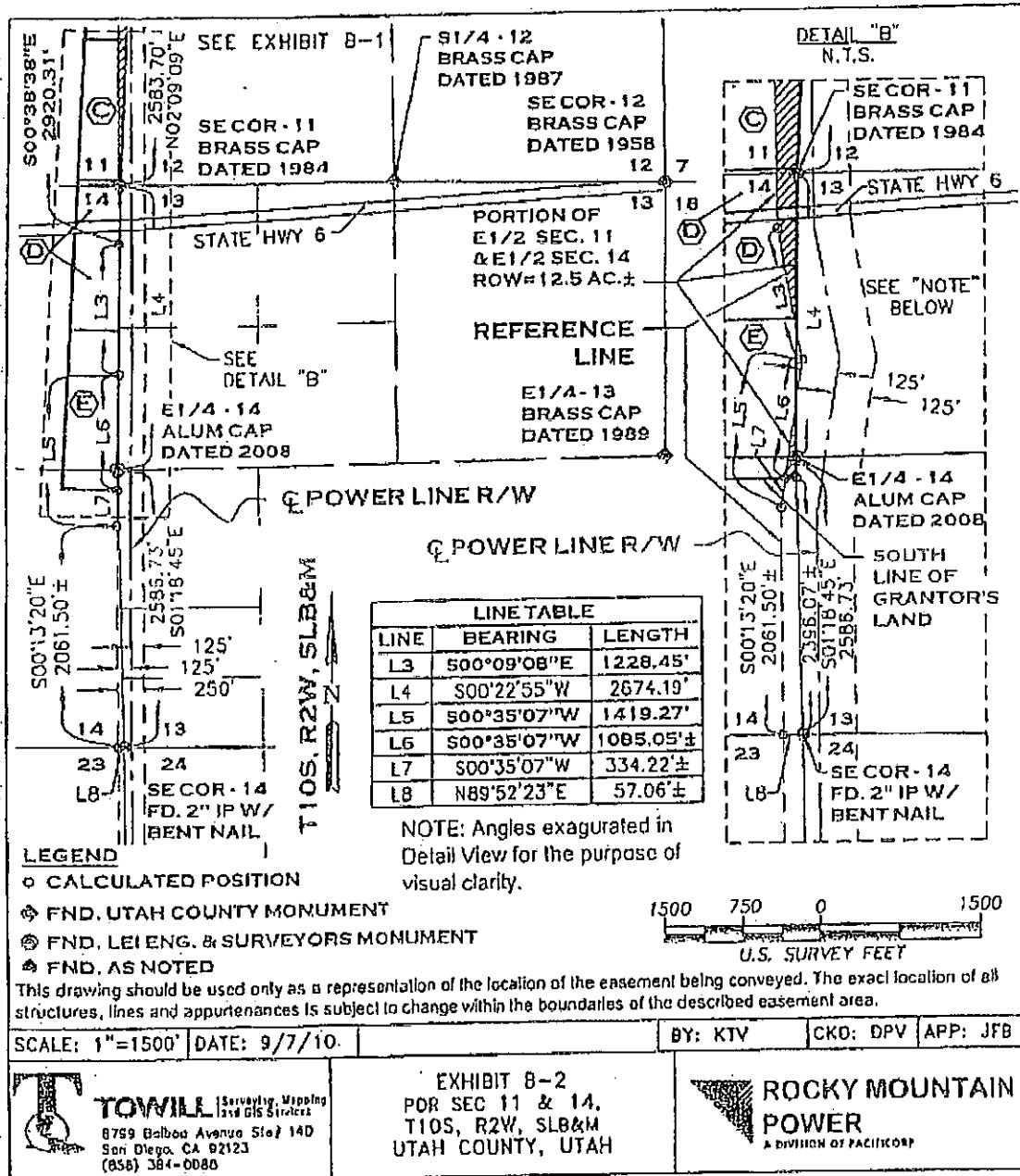


Exhibit B-2  
(Easement Area Drawing)



**Exhibit C**  
**Access to Easement Area**

**Grantor**

Chief Consolidated Mining Company, a corporation of the State of Arizona  
 Tax ID# 35-104-0007

**DESCRIPTION**

An easement 24 feet in width, being a portion of Lot 2, Plat "A", Bronson Subdivision, recorded as Map Filing #3057, Entry 26413 on September 4, 1984, of the records of the Utah County Recorder, said portion of Lot 2 being a portion of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 13, Township 10 South, Range 02 West, Salt Lake Base and Meridian, Utah County, Utah, said easement being 12 feet on each side of a centerline described as follows:

**COMMENCING** at the Northeast corner of said Section 13; thence South 00°11'46" West along the east line of said Section 13 for a distance of 729.75 feet, more or less, to the southeast corner of the Grantor's land; thence leaving said east line South 86°42'30" West along the south line of the Grantor's land for a distance of 1825.08 feet, more or less, to the **POINT OF BEGINNING**;

Thence leaving said south line along said centerline the following courses:

North 32°14'41" West, 42.90 feet, more or less; North 06°09'59" West, 111.18 feet;  
 North 22°28'48" West, 276.63 feet; and North 45°20'47" West, 334.78 feet more or less, to the southerly sideline of State Highway No. 6 and the north line of the Grantor's land.

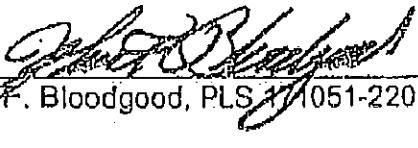
Right of way lines are to be shortened or extended to terminate on said southerly sideline of State Highway No. 6 and on said south line of the Grantor's land.

Containing 0.5 acres, more or less (ground level).

Bearings and distances are expressed in terms of the Utah Coordinate System 1983 Central Zone. Distances are expressed in U. S. Survey Feet. To convert the stated grid distances to ground distances, multiply the stated grid distance by a Combined Adjustment Factor of 1.000342590188.

All as shown on Exhibit C-1 attached hereto and made a part hereof.

Prepared by:

  
 John F. Bloodgood, PLS #1051-2201

Date: October 15, 2010

Grantor

Chief Consolidated Mining Co., an Arizona corporation  
Part of Tax Serial No. 98-125-0042

DESCRIPTION

A portion of the east half (E 1/2) of Section 11 in Township 10 South, Range 2 West, Salt Lake Base and Meridian, and a portion of the northeast quarter (NE 1/4) of Section 14, Township 10 South, Range 2 West, Salt Lake Base and Meridian, Utah County, Utah, being more particularly described as follows:

EASEMENT AREA No. 1

An easement 32 feet in width, being a portion of said E 1/2 of Section 11, said easement being 16 feet on each side of a centerline described as follows:

Commencing at the northeast corner of said Section 11 from whence the east quarter corner of said Section 11 bears South 02°08'59" West, 2583.53 feet, thence South 05°45'07" West, 2402.05 feet to a point on the west sideline of a proposed 250 foot wide power line easement, said point being the POINT OF BEGINNING;

Thence leaving said west sideline South 47°29'19" West, 218.97 feet; thence South 06°00'00" East, 73.00 feet; thence South 54°00'00" East, 62.00 feet; thence South 85°20'00" East, 105.00 feet to said power line easement west sideline.

Containing 0.4 acres, more or less, (ground level)

Right of way lines are to be shortened or extended to terminate on said power line easement west sideline.

EASEMENT AREA No. 2

An easement 32 feet in width, being a portion of said NE 1/4 of Section 14, said easement being 16 feet on each side of a centerline described as follows:

Commencing at the northeast corner of said Section 14, thence along the east line of said NE 1/4, said east line being the east line of East Contact No. 52, Survey No. 6790 being a patented lode mining claim located in the Tintic Mining District, said east line being also the east line of the Grantor's land, South 00°22'55" West, 275.23 feet; thence leaving said east line North 83°50'00" West, 13.76 feet to a point on said power line easement west sideline, said point being the POINT OF BEGINNING;

Thence leaving said west sideline North 83°50'00" West, 60.00 feet; thence South 69°40'00" West, 36.00 feet; thence South 46°50'00" West, 40.00 feet; thence South 29°50'00" West, 27.93 feet, more or less, to the northerly sideline of Utah State Highway 6.

Containing 0.1 acre, more or less, (ground level)

Right of way lines are to be shortened or extended to terminate on said power line easement west sideline and on said northerly sideline of Utah State Highway 6.

Bearings and distances are expressed in terms of the Utah Coordinate System 1983 Central Zone. Distances are expressed in U. S. Survey Feet. To convert the stated grid distances to ground distances, multiply the stated grid distance by a Combined Adjustment Factor of 1.000342590188.

All as shown on Exhibits C-1, C-2 & C-3 attached hereto and made a part hereof.

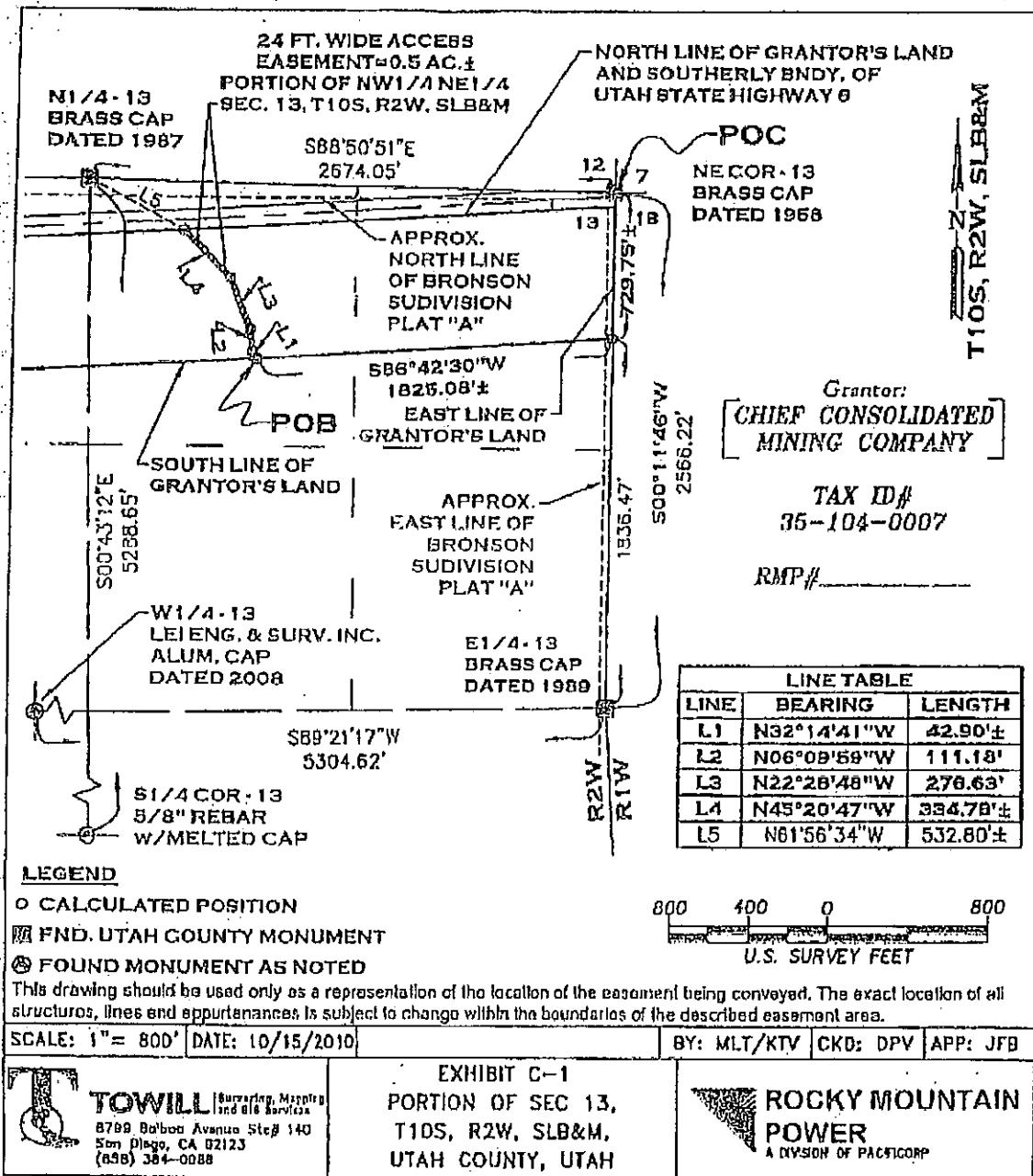
Prepared by:



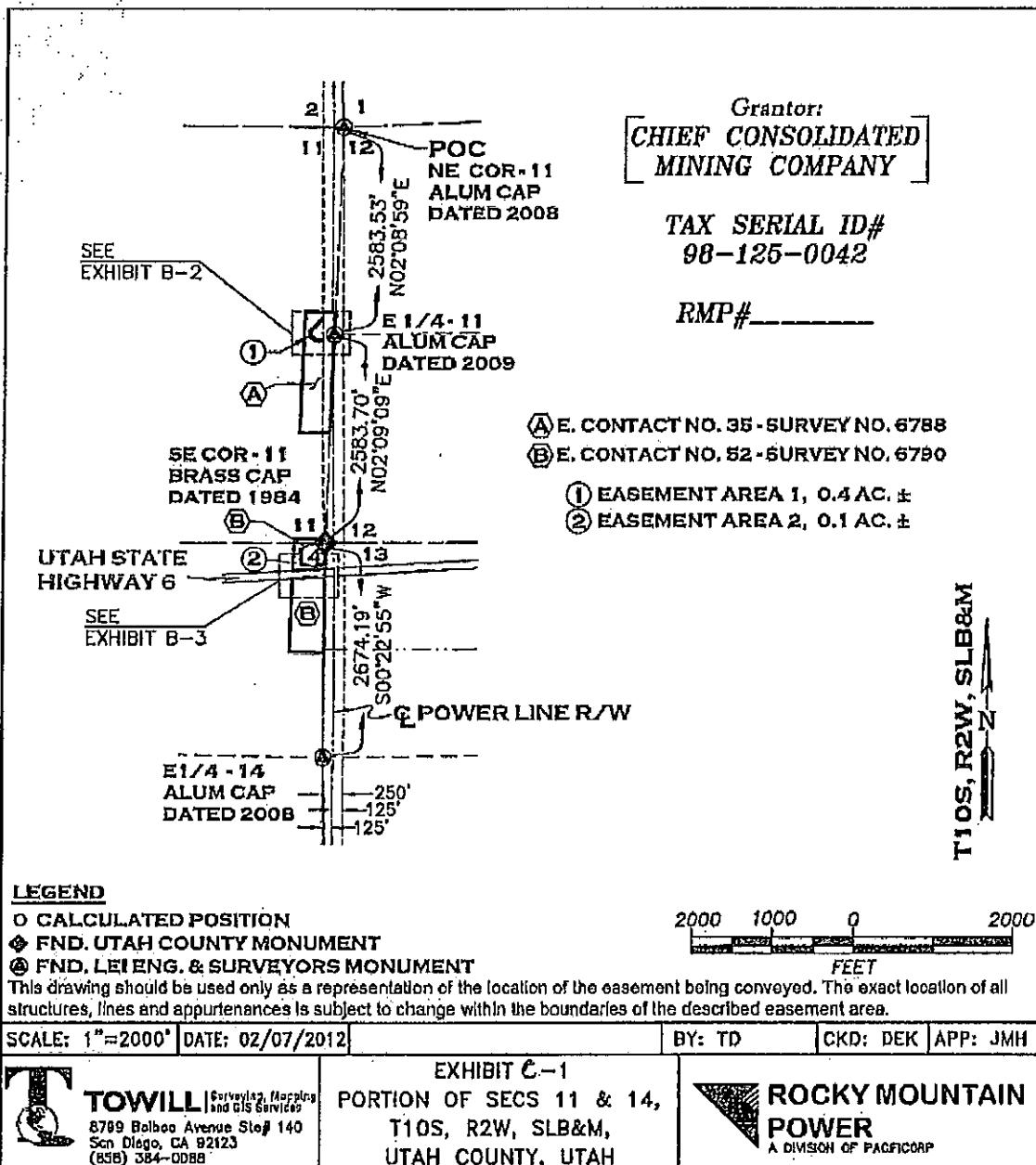
James M. Hart, PLS 8051637-2201

Date: February 7, 2012

**Exhibit C-1**  
**(Access to Easement Area Drawing)**



**Exhibit C-1**  
(Access to Easement Area Drawing)



**Exhibit C-2**  
(Access to Basement Area Drawing)

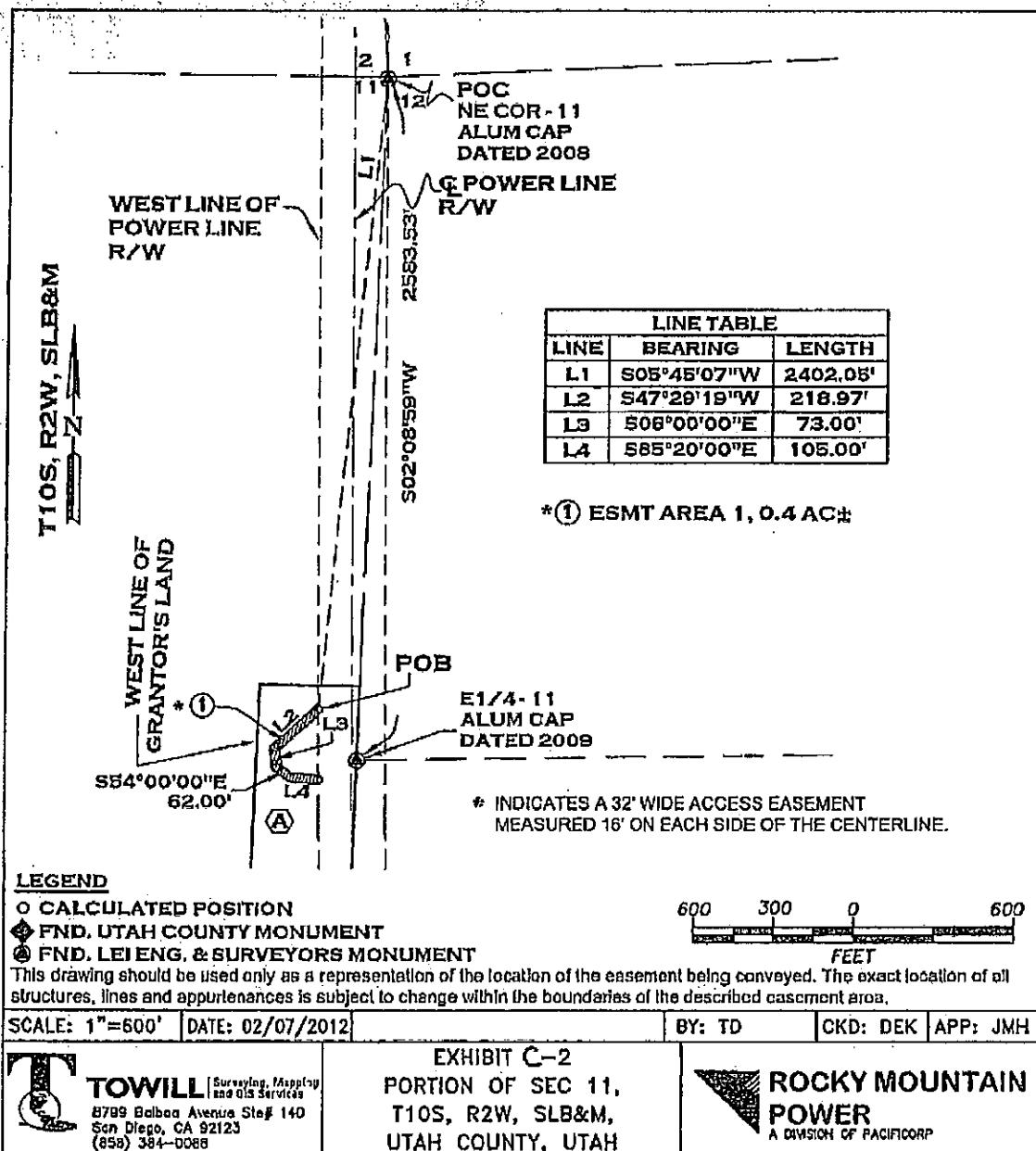


Exhibit C-3  
(Access to Easement Area Drawing)

